

Amendments to Senate Bill
2nd Reading Copy

EXHIBIT NO. 3
No. 251

DATE: 3-15-2011

Requested by Senator Christine Blummann SB 251

For the Senate Highways and Transportation Committee

Prepared by Rachel Weiss
March 15, 2011 (1:38pm)

1. Title, page 1, line 5.

Following: "DEVICES"

Insert: "TO WRITE, SEND, OR READ A TEXT-BASED COMMUNICATION"

2. Page 1, line 10 through page 3, line 17.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Use of mobile electronic device by motor vehicle operators prohibited. (1) A person may not operate a motor vehicle while using a mobile electronic device to write, send, or read a text-based communication.

(2) For the purposes of this section, a person is not considered to be writing, sending, or reading a text-based communication if the person reads, selects, or enters a telephone number or name in a mobile electronic device for the purpose of making or receiving a telephone call.

(3) The provisions of this section may not be construed as authorizing the seizure or forfeiture of a mobile electronic device unless otherwise provided by law.

(4) A person who violates subsection (1) shall be fined not more than \$100. A violation of this section may not be recorded or charged against a driver's record, points may not be assessed against the driver's record pursuant to 61-11-203, and an insurance company may not hold a violation of this section against the insured.

(5) An operator of a motor vehicle who commits a moving violation, as defined in 61-11-203, while writing, sending, or reading a text-based communication shall be fined \$100 in addition to any penalty or fine imposed for the moving violation.

(6) This section does not apply to an emergency services provider, as defined in 50-16-701, using a mobile electronic device while operating an authorized emergency vehicle in the course and scope of the provider's duties.

(7) (a) As used in this section, "write, send, or read a text-based communication" means using a mobile electronic device to communicate manually with any person using text-based communication, including but not limited to communications referred to as a text message, instant message, or electronic mail.

(b) The term does not include the use of a global positioning or navigation system."